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16 [Additional counsel identified on signature page in accordance with Local Rule 3-4(a)(1)]

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN FRANCISCO DIVISION**

20 **FEDERAL TRADE COMMISSION,**

21 Plaintiff,

22 v.

23 **MICROSOFT CORP.,**

24 and

25 **ACTIVISION BLIZZARD, INC.,**

26 Defendants.

27 Case No. 3:23-cv-02880

28 **STATEMENT IDENTIFYING
WITNESSES AND EXHIBITS TO BE
USED JUNE 23, 2023**

29 Pursuant to the Court's Order Following June 21, 2023 Status Conference (Dkt. 170),
30 Plaintiff Federal Trade Commission respectfully submits this statement identifying the witnesses
31 to be called on June 23, 2023 and the exhibits Plaintiff intends to use with the witnesses.

32 Plaintiff intends to call Phil Spencer, Jamie Lawver, Dov Zimring, and Jim Ryan (by
33 video deposition designation). Listed below are the exhibits Plaintiff intends to use with these
34 witnesses.

35 STATEMENT IDENTIFYING WITNESSES AND EXHIBITS TO BE USED JUNE 23, 2023
36 CASE NO. 3:23-cv-02880

1 Exhibits Plaintiff intends to use with Mr. Spencer:

Exhibit No.	In camera treatment requested (if any)	Used in
PX1050	ECF No. 150 at 13	ECF No. 175
PX1062		
PX1063	ECF No. 150 at 3	ECF No. 175
PX1065	ECF No. 150 at 15	ECF No. 175
PX1114	ECF No. 150 at 22	
PX1145	ECF No. 150 at 7	ECF No. 175
PX1471	ECF No. 150 at 15	ECF No. 175
PX1510		
PX1555		
PX1850		
PX1851	ECF No. 150 at 13	
PX1852		
PX1883	ECF No. 150 at 10	
PX1887	ECF No. 150 at 25	
PX1888	ECF No. 150 at 22	ECF No. 175
PX1889	ECF No. 150 at 27	
PX1890	ECF No. 150 at 20	
PX1893	ECF No. 150 at 25	
PX1895	ECF No. 150 at 17	
PX1897		ECF No. 175
PX1898		ECF No. 175
PX1904	ECF No. 150 at 24	
PX4377	ECF No. 150 at 10	

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1	PX4725	
2	PX4899	
3	PX4900	
4	PX7011	ECF No. 175; ECF No. 132
5	PX7012	ECF No. 175; ECF No. 132
6	PX7028	ECF No. 175
7		
8		
9		

Exhibits Plaintiff intends to use with Ms. Lawyer:

11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	Used in
Exhibit No.	In camera treatment requested (if any)																	Used in
PX1116	ECF No. 150 at 6																	ECF No. 175
PX1954																		ECF No. 175
PX4309																		ECF No. 175
PX4334	ECF No. 150 at 16																	ECF No. 175
PX4312	ECF No. 150 at 9																	
PX4792	ECF No. 150 at 26																	ECF No. 175
PX4672	ECF No. 150 at 28																	ECF No. 175; ECF No. 132
PX4336	ECF No. 150 at 20																	
PX4344																		
PX4319	ECF No. 150 at 9																	
PX4308																		
PX4301	ECF No. 150 at 6																	
PX1391	ECF No. 150 at 16																	

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PX7042		ECF No. 175; ECF No. 132
PX7043		ECF No. 175; ECF No. 132

Exhibits Plaintiff intends to use with Mr. Zimring:

Exhibit No.	In camera treatment requested (if any)	Used in
PX7063		
PX8003		ECF No. 175

Exhibits Plaintiff intends to use with Mr. Ryan:

Exhibit No.	In camera treatment requested (if any)	Used in
PX3106		
PX3109		
PX3110	ECF No. 172 at 6	
PX7053	ECF No. 172 at 7	ECF No. 175; ECF No. 132
PX7054	ECF No. 172 at 8	ECF No. 175; ECF No. 132
PX8001		ECF No. 175; ECF No. 132

DATED: June 23, 2023

/s/ James H. Weingarten

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